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## REMARKS

In light of the above amendatory matter and remarks to follow, reconsideration of the above-identified application is respectfully requested.

Independent claims 36, 44, 51, 61 and 63 are amended to better define Applicant's invention. The claim dependencies of the dependent claims have been corrected.

Claims 6, 8, 17, 19, 36, 44, 46, 48-51, 53-59, 61 and 63 are presented for consideration.

The amendments made herein are made without prejudice or disclaimer of any subject matter. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 USC 112. Changes to the claims are not made for the purpose of patentability within the meaning of 35 USC 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to improve the form of the claims.

In the Office Action under reply, Japanese published application 5-86393 was relied upon to reject all of the claims. This reference was applied to claims 8, 19, 36, 44, 51-53, 56, 58, 59 and 63 under 35 USC 102; and was applied to claims 6, 17, 45-50, 54, 55, 57 and 61 under 35 USC 103. For the reasons now discussed, it is submitted that Applicant's claims are neither anticipated nor rendered obvious by the Japanese reference.

The Japanese reference is directed to a toy, in the form of a cat, containing a charging battery, and having a speech generator that generates two "voices:" one that imitates the sound of a cat drinking milk and the other imitating the sound of a cry. The battery charger is in the form of a milk bottle; and when the charger is connected to charge the battery, the speech generator generates the milk-drinking sound while the battery is charging. When charging is completed, a motor 11 wags tail 2a. The wagging tail is sensed by a sway sensor 5 to trigger the speech

generator to generate the cry. For convenience, enclosed is a copy of the English translation obtained for this Japanese reference.

It is important to recognize that the sway sensor 5 of the Japanese reference does not initiate any movement whatsoever of the toy. Rather, the purpose of the sway sensor is to trigger the speech generator when tail movement is sensed. It also is important to appreciate that, although a milk-drinking sound is generated by the speech generator while the toy battery is being charged, there is no indication whatsoever of the amount to which the battery is charged. That is, there is no indication of the charge level of the battery during the charging process.

Turning now to the present invention, as defined by Applicant's claims, claim 36 is drawn to the novel feature of initiating a predetermined movement of the robot apparatus when a particular area of the robot's body is rocked. As recited in claim 36, the robot apparatus includes:

> "detection means for detecting that a predetermined area of said body portion of said robot apparatus is rocked; and
>
> control means for controlling said movement generating means to start generation of predetermined movement in response to detecting that said predetermined area has been rocked."

Support for this recitation is found, *inter alia*, at the paragraph bridging pages 4 and 5 of Applicant's specification; the paragraph bridging pages 11 and 12, page 13, first paragraph and page 16, first paragraph. Thus, according to claim 36, when a particular area of the robot is rocked, the robot begins to move from its at-rest position. This feature is notably missing from the Japanese reference which fails to describe, or even suggest, that the toy begins to move when a particular area is rocked. Indeed, there is no contemplation that any portion of the toy should be rocked. Sway sensor 5 is used to sense when the tail moves -- it does not initiate that movement. The sensor triggers the speech generator of the toy; but that is far from initiating movement.

Accordingly, the rejection of claim 36 as being anticipated by the Japanese reference should be withdrawn.

Claim 44 is drawn to the feature of changing the pose of the robot to indicate that the robot's battery has been charged; and to the feature of indicating the battery charge level while that battery is in the process of being charged. As recited by claim 44,

> "said robot apparatus ... further include[es] charge indicating means for performing a movement of at least one selected body part **indicative of the amount of charging** ... while said charging battery is being charged, said movement including a predetermined movement to change the pose of said robot apparatus ... to notify completion of charging" (emphasis added).

Support for this recitation is found, *inter alia,* in Applicant's specification at page 3, first paragraph, page 9, first paragraph, page 10, first paragraph, through page 11, second paragraph, page 12, first and second paragraphs and page 15, first paragraph. These features of providing an indication of battery charge level by moving a particular body part of the robot, and changing the pose of the robot when charging is completed are not shown or even suggested by the Japanese reference. At best, the tail of the toy described by the Japanese reference is moved when battery charging is completed -- but this is not a change in the pose of the toy. More significantly, there is no indication by the toy of the battery charge level while the battery is being charged. Rather, a sound is generated (drinking milk) while the battery is being charged; but this sound provides no indication of whether the battery charge level is high, medium, low, or any level in between.

Therefore, since the Japanese reference fails to suggest the novel features of the present invention, the rejection of claim 44 as being anticipated by this reference should be withdrawn.

Claim 51 is similar in many respects to claim 44 and is drawn to the features of indicating by movement of a particular portion of the robot the charging level of the robot's battery while

that battery is being charged; and changing the pose of the robot to notify completion of the charging operation. That these features are not suggested by the Japanese reference has been particularly pointed out above. Accordingly, the rejection of claim 51 as being anticipated by this reference should be withdrawn.

Claims 61 and 63 are directed to the robot charging method in which a particular body part of the robot is moved to indicate the charge level of the battery while the battery is being charged when the robot is in a charging device. When charging is completed, the robot's head is raised (claim 61) or the tail is wagged (claim 63). While the Japanese reference describes tail wagging, it must be repeated, the Japanese reference fails to suggest any charge level indication while, or even after, the toy's battery is charging. Hence, there is no suggestion in this reference of "moving at least one selected body part of said robot apparatus to indicate an amount of charging of a charging battery ... while said robot apparatus is in a charging device," as recited by both claim 61 and claim 63. In the absence of any suggestion of this feature, it is respectfully submitted that the Japanese reference is not capable of anticipating or rendering obvious claim 61 or claim 63. Accordingly, the rejections of these claims should be withdrawn.

In the office action under reply, those claims dependent on the independent claims specifically discussed above were rejected for the same reasoning relied upon to reject the independent claims. However, the dependent claims include all of the limitations recited in the independent claims and, therefore, these dependent claims are patentably distinct over the Japanese reference for the very same reasons discussed above. Accordingly, the rejections of the dependent claims should be withdrawn because the Japanese reference fails to teach features recited in those claims.

In view of the clarifications made to the claims and the important differences between the claims and the cited prior art, it is respectfully submitted that this application has been placed in condition for allowance; and early notice to that effect is solicited.

Statements appearing above in respect to the disclosures in the cited reference represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

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Enc. - English translation of Japanese Reference